

DISTRICT 7 & 8 PLANNING ADVISORY COMMITTEE
PUBLIC INFORMATION MEETING MINUTES

November 20, 2013

PRESENT: Mr. David Fleming, Interim Chair
Mr. Adam Conter
Mr. Brenden Sommerhalder
Ms. Katherine Kitching
Mr. Michael Haddad
Councillor Wayne Mason
Councillor Jennifer Watts

REGRETS: Ms. Sunday Miller
Ms. Jennifer Powley
Mr. Michael Bradfield

STAFF: Mr. Mitch Dickey, Planner, Community & Recreation Services
Ms. Melissa Eavis, Legislative Support

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1. CALL TO ORDER

Mr. David Fleming, Interim Chair called the meeting to order at 7:04 p.m., introduced members of District 7 & 8 Planning Advisory Committee in attendance and briefed the public on the rules of the public meeting.

2. Case 18565: Amendment to the South End Area Plan of the Halifax MPS

Proposal Information on Case 18565 and staff report dated August 23, 2013 was distributed at the meeting.

Mr. Mitch Dickey, Planner, Community and Recreation Services, presented Case 18565 a request by Dino Capital to amend the South End Area Plan of the Halifax Municipal Planning Strategy to redesignate properties located at 1034, 1042, 1050 and 1056 Wellington Street from Medium Density Residential to High Density Residential and to amend the height precinct, in order to allow consideration of a 58 unit building by development agreement.

Mr. Michael Moore spoke on behalf of the Applicant, stating that the project will continue to evolve as it moves forward. He discussed the merits of going forward with the proposed amendment rather than the as-of-right option including: the increased control that could be leveraged through the development agreement process; that the proposed amendments would allow for more “family style” housing rather than the as-of-right student oriented housing option; and that there is more parking provided in the proposed project with 84 underground spaces versus the 16 above ground spaces with the as-of-right project.

Mr. Michael Napier, the architect on the project provided a presentation outlining the design aspects and the evolution of the project. He addressed a height discrepancy in the staff report that showed the towers to be 14 and 10 storeys, clarifying the proposed towers are 12 and 10 storeys. Mr. Napier noted other design changes including a reduction in the height of the podium from three to two storeys, increased setbacks from adjacent properties, and the additional parking.

Mr. Fleming called for individuals wanting to speak to the proposal to come forward. The floor was opened for comments from the public.

Mr. Ken McInnis, a resident of Wellington Street, stated that he was against the proposal. He noted that the height and shadowing of the adjacent community garden was an issue. He also indicated that parking was already a problem in the community and that this proposal would aggravate that situation. He stated that he was not against the development of the site but would prefer to see a proposal that is in keeping with the character of the neighborhood.

Mr. John Dalton, a resident of Wellington Street, stated that he did not support the proposal, describing previous applications by the developer. He stated that keeping the

Municipal Planning Strategy and Land Use By-law would provide predictability and that more density is needed on the peninsula, but that this should be provided through a controlled and planned way. He also stated that there was a mismatch between the goals of the developer and those of the community.

Mr. Harold LeBlanc, a resident of Inglis Street stated that he did not want this project to proceed. He also noted that residents are being asked to make a choice between two undesirable options: the proposed project and the as-of-right option as presented by the developer. He noted that the as-of-right development would likely add more students to the neighborhood, which he said was undesirable. Also, the as-of-right development would have more green space, less shadowing, and less wind issues than the proposed development and the primary issue with the as-of-right development is the likely tenants. The fact that the project is constantly evolving is also an issue as residents do not know what is being agreed to. Mr. LeBlanc urged the Planning Advisory Committee to recommend against the proposal.

Ms. Anna Fraser, a resident of Wellington Street indicated that she supported staff's recommendations and the views of previous speakers, noting that lot coverage and shadowing are major issues. She also highlighted that this development is an opportunity to make the neighborhood better and that existing high-rise developments should not set a precedent for this project. Unit size was also an issue and Ms. Fraser stated that 3600 and 3700 square foot units were overly large. She further noted her support for a midrise development.

Mr. Bruce MacDougall expressed concern that the project would be out of scale and full of students. He went on to note that the appropriate development for the site was neither the as-of-right development or the proposed project, suggesting that something in the height range of four to five storeys would be appropriate. He also stated that 180-foot towers are not appropriate. Mr. MacDougall was also concerned with the size of the units, commenting that the 3600 square foot unit measurement seemed disingenuous and that there would not be a market for this unit size in Halifax. Mr. MacDougall closed by saying that there was a more appropriate project for the site but did not elaborate.

Mr. Napier clarified that the unit size is 3600 square feet.

Ms. Kathleen Rockwell, a resident of Wellington Street asked why the meeting was called as staff have recommended against the project and as such, it should not go forward. She also questioned why existing planning strategies are being ignored. She went on to note that she was not against development but would prefer a project that is in keeping with the character of the neighborhood.

Mr. Dickey clarified that the meeting was called because Regional Council sought further public input on the project. Also, Municipal Planning Strategies are living documents that are meant to change over time to meet the needs of changing economic and neighborhood circumstances.

Ms. Mary MacDonald, a resident of Halifax commented that the development does not fit with the neighborhood and that height is an issue. She also noted that there could be solar heat loss due to shadowing and expressed concern with parking and congestion issues that already exist in the neighborhood.

Ms. Rebecca Jamieson, a resident of Fenwick Street noted that the Municipal Planning Strategy indicates that developments are to be compatible with the character of the neighborhood and that the existing zoning protects neighborhoods from high-rise development. She stated that both the as-of-right and the proposed development would be utilized by students and that residents are willing to consider an alternative to this application. She also expressed concern over the unit size and the marketability of upscale condos. She went on to state that midrise or townhouses would be more appropriate.

Ms. Roxanne Mio, a resident of Wellington Street agreed with previous speakers and was against the proposal. She supports development but does not want these types of buildings on her street due to traffic concerns, danger posed to children in the area, and winter weather issues. She also stated that the density proposed is undesirable and that this development would be better in the suburbs.

Mr. David Jamison, a resident of Wellington Street was in full agreement with previous speakers. He submitted a petition containing 311 signatures in opposition of the development.

Ms. Oriel MacLennan, a resident of Wellington South advised that she would prefer a development that was similar to Wellington South, the Brickyard, or townhouses. Her primary objections to the development were excessive height and massing, shadowing over the community garden, poses threat to adjacent green space which is already lacking in the area, and that the units would be unmarketable. She also commented that there is a deterioration that comes with a transient population such as students.

Mr. Alan Young, a resident of Wellington Street stated that he has considerable concerns regarding the proposal and supports the recommendations outlined in the staff report. He noted concerns regarding the height and impact the development would have on the character of the neighborhood. He commented that although development should be encouraged, this was an instance where it should conform to existing policies in order to preserve the character of the neighborhood.

Ms. Patricia Livingston, a resident of Wellington Street commented that this development was out of character with the neighborhood and past mistakes should be avoided.

Ms. Wendy Cats, a resident of Wellington Street expressed that she was against the proposal and supports the recommendations of HRM staff. She noted that because of the existing hospitals and students in the area, there was already a high demand for parking and this issue would be compounded if the project is allowed to proceed. She

also stated that because the project is evolving, there is an issue with stability and predictability.

Mr. Brian Gun, a resident of Wellington Street agreed with previous speakers and that the development was inappropriate and out of scale. He stated that the existing by-laws and policies were formulated with public input and as such should be followed. He also noted that the size of the 3600 square foot units was anomalous and expressed disbelief at the veracity of this measurement.

Ms. Karen Beazley, a resident of Wellington Street spoke on behalf of herself and her parents, Richard and Grace Beazley. She agreed with the previous speakers and opposed the project. She was concerned that if the development were to proceed the southern view from her balcony would be lost. She felt that the development would bring a decrease in her quality of life and would be forced to sell her unit. She also expressed concern over the stability of the neighborhood and that existing tall buildings in the neighborhood should not be replicated. She suggested that low to medium rise should be considered for this site and that minor changes to the project would not change her opinion. She noted that the Planning Advisory Committee should recommend against this proposal.

Ms. Glenna Campbell, a resident of Wellington Street spoke on behalf of herself and Anna Smithers. Ms. Campbell supported staff's recommendations and previous comments made. She noted that the height was excessive, and that there were significant parking and open space issues.

Mr. Jeff Scrutton, a resident of Wellington Street stated that he was opposed to the development and supported both previous comments made and staff's recommendations. He stated that this development presents an opportunity to improve the community but that the proposed project does not do this. Further that the project was inconsistent with existing policies and the seven municipal planning principles. He expressed displeasure at the agitation to the community by allowing such a proposal to be considered. He also noted that the open space adjacent to the development was used by the broader community, not just local residents.

Mr. Chris Beaumont, a resident of Fenwick Street noted his support for the staff recommendations and urged the Planning Advisory Committee to recommend against the proposal. He also stated that this was spot rezoning and it undermines the existing policies that went through a public consultation process. He also commented that although policies should be revisited, they should be done in strategic way rather than spot rezoning. He went on to state that the current zoning was appropriate for the area.

Mr. Denis Del Giudice, a resident of the Wellington-Inglis area expressed his support for previous comments made, noting that the Planning Advisory Committee had yet to hear any support for the project.

Ms. Anne Taylor, a resident of Wellington Street expressed displeasure at the cost incurred for hearing a proposal that was not supported by staff or the community. She stated that she supports diversity but the community already deals with issues in terms of parking and the proximity to the hospitals. She reiterated that this project was not wanted by the community.

Ms. Wendy Wagstaff, a resident of Inglis Street commented that the green space adjacent to the development was a valuable asset and the proposal would impose on that; as well, that the proposed development would detract from the park. Ms. Wagstaff was also concerned with the size of the project.

Ms. Beverly Miller, a resident of South Street stated that the project would affect all neighborhoods on the peninsula and that this was not strictly a neighborhood issue. She noted that there was enough space on the peninsula for 38 years of growth without destroying existing neighborhoods. Also, that current vacancy rates were high, asking staff if the as-of-right unit presented was correct and if they conform to the zoning requirements.

Mr. Dickey advised that each of the as-of-rights units have ten bedrooms and meet the requirements; however, the R-2A zoning was never meant for this type of development.

Mr. Paul Card, a resident of Cork Street expressed displeasure with bringing residents out to oppose a project that severely deviates from the existing policies. He went on to state that he was not against development but that the project was drastically out of step with existing policies.

Vicki, a resident of Marlborough Avenue expressed concern about the proposed development and considering the projected vacancy rate on the peninsula, commented that the units would not be utilized. She was concerned with the financial support for the development.

Mr. Michael McCurdy, a resident of Victoria Road agreed with previous speakers and inquired about the environmental considerations of the building and the quality of construction.

Mr. Moore indicated that approved amendments would stay with the property and that financing was something that all developers must deal with and should not be the concern of staff or Council. He emphasized the importance of avoiding sprawl and the viability of the proposed location and provided clarification on the heights of the proposed towers, at 160 and 140 feet. In terms of the environmental considerations of the project, he commented that this could be dealt with through the Development Agreement.

Mr. John Dalton, who had spoken previously, commented that his property would be affected by shadow cast from the proposed development.

Mr. Larry Freeman, a resident of Wellington Street asked whether this was the first project of Dino Construction.

Mr. Moore advised that Dino Capital Ltd. is a company incorporated in the Province of Nova Scotia and Mr. Tsimiklis works for that company. As such, Mr. Tsimiklis has been involved in other projects including Armoury Square and a project on South Street. He went on to state that a development agreement would remain with the property even if the land changed hands in the future.

William, a resident of Cline Street commented that the design of the building could be improved to better fit with the neighborhood and be more unique.

Mr. Napier addressed the design concerns raised and stated that HRMbyDesign is a form based strategy and that buildings often fit their envelope. He went on to state that these buildings fit the need of a certain user group and round shapes are often impractical.

Ms. Jennifer van Rooyan, a resident of Wellington Street stated that it is understandable why a developer would consider this an optimal site for a high-rise project considering the close proximity to open space but was not a valid justification for relaxing the height restrictions.

Linda, a resident on the peninsula commented that the development would make a perimeter on Inglis Street.

In response to Linda, Mr. Dickey advised that Inglis Street does not meet the criteria and that the developer was looking for a spot rezoning. Further, staff's position is that the existing high-rise development does not justify further high-rise development.

Mr. Geoff Keddy stated that other high-rise developments surrounding parks and open spaces are common and function well. He supports the proposal but would rather see a single, higher tower which would cause less shadowing. He commented that new development facing the park that does not affect the developments to the north could have a positive effect on the city.

Mr. Wes Campbell, a resident of Summer Street stated that the site would be developed and that positive community contribution would be beneficial. He did not necessarily agree that the project should go forward as presented but supported the development of the site. He asked staff whether there were any other developments happening on the park that could affect viewpoints.

In response to Mr. Campbell, Mr. Dickey indicated that to his knowledge, there are no other developments happening around the park.

Mr. Lawrence Stekenokovich questioned whether the amendment presented would stay with the property and if so, that this would be another reason to reject the proposal.

In response to Mr. Stekenokovich, Mr. Dickey confirmed that the amendment remains with the property even if the property changes owners.

Mr. Gary Bristo, a resident of Wellington Street commented that the community was presented with four proposals and one of which was positively received. Further, that the current proposal was not presented to the community and that the developer was not working with the community.

Mr. Fleming called three times for additional speakers to come forward at this time; there were none.

The following submissions were received for Case 18565:

Patricia Whitman and David Lemon	Kathleen Rothwell
Mary MacDonald	Martine Durier-Copp
Wendy R. Katz	A. M. Taylor
Alan R. Young	Denis del Giudice
Chris and Kirk Annand	Anna Fraser and Alan Grant
Dennis Creamer	Oriel C. L. MacLennan
Ken McInnis	Nancy Smithers
Shirley A. Nason	Johan Geldenhuys
Karin and Arthur Digout	Anne West
Lynn Ross	Muriel A. Jamieson
Frances McDonah	Sandra Dauphinee
Roland McDonah	Jim McKeen
W. David Jamieson	Helen Earle
Gary Bristow	Gordana Lazin
Harold LeBlanc and Family	Kevin Forward and Michelle LeClair
Jennifer van Rooyen	Barbara M. Yeadon
Bimal and Krishna De	Jeff Scrutton
Brian Guns	Karen Beazley
Lynn McAslan	Eugene and Roxane Mio
Paula Taylor	Rebecca A. Jamieson
David Kirkpatrick	Christopher Beaumont
Mark Sobieraj	
Katie Kirkpatrick	

3. CLOSING COMMENTS

Mr. David Fleming thanked those in attendance, noting the importance of public engagement. In response to a member of the public expressing concern with their photo being taken, Mr. Fleming advised that as this was a Public Information Meeting and could not stop members of the public from taking photographs.

4. ADJOURMENT

The meeting was adjourned at 9:20 p.m.

Melissa Eavis
Legislative Support